

PLANNING AND ZONING COMMISSION

December 2, 2014

7:30 pm

Council Chambers

ROLL CALL

Commissioners Present:	Best, Burney, L. Davis, R. Davis, Loyd, McDowell, Woolery, Vice-Chairperson Romine and Chairperson Harris	
Commissioners Absent:	Huddleston	
Staff Present:	Joel Hornickel	Director of Planning and Development
	William Duston	City Attorney
	Tara Norback	Planning Assistant
	Kim Varner	Planning Assistant
	Kendall Powell	Utilities Plans Examiner
	Randy Fogle	Division Fire Chief

1. Approve Agenda.

Recommended Action: Approve the format of the December 2, 2014 agenda.

MOTION:

Motion by Vice-Chairperson Romine and seconded by Commissioner R. Davis, and unanimously carried to approve the December 2, 2014 agenda.

PUBLIC COMMENTS

None.

REGULAR AGENDA ITEMS

2. Approve Minutes.

Recommended Action: A) Approve the minutes of the October 7, 2014 study session.
B) Approve the minutes of the October 7, 2014 regular meeting.

MOTION:

Motion by Commission Loyd and seconded by Vice-Chairperson Romine, and unanimously carried to approve the minutes of the October 7, 2014 Planning and Zoning Commission study session and the October 7, 2014 Planning and Zoning Commission regular meeting as presented.

OLD BUSINESS

PUBLIC HEARING AGENDA ITEMS

3. Request for a Special Use Permit to Operate a Museum Within the Property Located at 200 Jess-Jo Pkwy Branson, Missouri.
Project No. 14-1.7 (14-00100007)
Applicant: Karl & Beverly White

Mr. Hornickel presented the staff report as filed with the Planning Department.

Chairperson Harris asked if any of the Commissioners had questions for staff.

Commissioner R. Davis asked if the property had a conforming sign as the need for signage would be necessary at that location.

Mr. Hornickel stated staff had spoken with the applicant about signs amongst other things during the Open for Business process. He stated he was unsure whether the existing signage was conforming or nonconforming, so he would verify with staff the following day.

Vice-Chairperson Romine asked if the building was currently vacant.

Mr. Hornickel stated it was vacant.

Chairperson Harris asked if any of the Commissioners had any other questions for staff; there was no response. He then asked if the applicant or their representative was present to speak in regards to the request.

Mr. Karl White approached and stated he had been collecting items and tackle since 1961 which he would like to display within his proposed History of Fishing Museum. He stated his collection was the best in existence. He provided a photograph to the Commission showing a setup of his collection taken thirty years ago. He stated his proposed museum layout would be configured as a journey through the ages of fishing, from prehistoric through the 1970s and present day.

Commissioner Best asked if the hours of 9:00 am to 9:00 pm would be sufficient for his museum to be open.

Mr. White stated the hours may be change throughout the year based on demand.

Commissioner Best asked if the listed hours of operation should be changed.

Chairperson Harris stated the conditions within the resolution did not list the proposed hours of operation as he recalled.

Mr. Hornickel stated since the staff recommends conditions for the proposed use, hours of operation are typically only listed when they believe the proposed hours or use could have a negative impact on the neighboring properties. He stated the proposed hours of operation for this item had only been listed for informational purposes.

Commissioner R. Davis asked if projections had been determined yet for the number of visitors, amount of time to walk through the museum and what the rarest item will be.

Mr. White stated his collection included a Synder reel which was the first casting reel in American valued at \$150,000. He stated he had a Haskle fish hook which recently sold for \$101,000. He stated the estimated value of his collection was approximately four to five million dollars. He stated a person may take a day to go through the entire museum or they may only take one hour depending on their level of interest.

Commissioner R. Davis asked how many people were expected to visit the museum within any given day.

Mr. White stated he hopes for a minimum of one hundred a day. He stated his goal was for the museum to operate as long as possible and be his legacy.

Chairperson Harris stated he appreciated the project and the addition it will be for the community. He asked if any of the commissioners had any other questions or comments for the applicant; there was no response. He then asked if there was anyone else present who wished to speak in regards to the item; there was no response. He then asked if there were any other questions

Commission R. Davis asked what was meant by the Fire Department's comment in regards to the change of use and occupant load.

Mr. Hornickel stated the building had been previously a restaurant and now it was being proposed to become a museum. He stated anytime a change in use occurs, an architect is required to review the building and insure the necessary building codes are met and the occupant load is revised as necessary. He stated the architect would additionally review the points of ingress and egress to insure adequate routes will be provided for safe exit in the event of an emergency within the building.

Chairperson Harris asked Ms. Norback if any other comments or concerns were received from neighbors regarding the request besides the letter of support included in the packet.

Ms. Norback stated the included letter was all staff received.

Commissioner Loyd asked why the request had been listed as a museum and not specifically as a fishing museum so as to prevent future museums from having a negative impact on the surrounding properties.

Mr. Hornickel stated the municipal code listed museum a special use and staff typically does not differentiate the type of museum.

Chairperson Harris asked if any of the Commissioners had any other questions; there was no response. He entertained a motion.

MOTION:

Motion by Commissioner Best and seconded by Commissioner Woolery to approve Resolution 14-1.7.

AYES: Commissioners Best, Burney, L. Davis, R. Davis, Loyd, McDowell, Woolery, Vice-Chairperson
Romine and Chairperson Harris
NOES: None
ABSTAIN: None
ABSENT: Commissioner Huddleston

Motion to approve Resolution 14-1.7 carried with a 9-0 vote.

4. Request for a Municipal Code Amendment to Section 450.070(B) Pertaining to Application Requirements for Special Events.

Project No. 14-12.9 (14-01200009)

Applicant: City of Branson, Planning and Development Department

Mr. Hornickel presented the staff report as filed with the Planning Department.

Chairperson Harris asked if there were any city staff assigned to collect the grease around town.

Mr. Hornickel stated there was not.

Chairperson Harris asked if there was a private entity in the area to collect grease around town.

Mr. Powell approached and stated there were certain fats, oils and grease which were considered valuable because they could be recycled, such as bulk oil from fryers. He stated grease collected from cleaning dishes was not recyclable, and a variety of waste haulers could haul it to a facility in Springfield for proper disposal. He stated most businesses hire a company to pump their grease trap and then haul what is collected to Springfield.

Chairperson Harris asked if there was a certain amount of grease and oil within the sanitary sewer system which causes detrimental effects to the treatment plants.

Mr. Powell stated most amounts would not be able to overload the system as it had ways to remove certain amounts of fats, oils and greases. He stated the lines leading to the treatment plants provided the larger challenge as the fats, oils and greases, if not properly pulled out, could eventually block lines and caused backups.

Commission Burney asked if amounts of fats, oils and greases were more noticeable during downtown events such as Plumb Nellie days.

Mr. Powell stated they were not.

Chairperson Harris asked if any of the commissioners had any other questions or comments; there was no response. He then asked if there was anyone present who wished to speak in regards of the item; there was no response.

Commissioner R. Davis asked if staff could include additional information within the event application regarding proper disposal and local companies who could assist with disposal.

Mr. Hornickel stated the request was a good one and would be easy to add.

Commissioner L. Davis asked who would bear the burden of enforcement.

Mr. Hornickel stated the applicant would be responsible for compliance of the code and their application.

Commissioner R. Davis asked if any future issue during a specific event could be reported so as to potentially prevent them from having another opportunity for an approved event.

Mr. Hornickel stated the staff currently conducts post event reviews to discuss components of each event to identify successes and areas to improve. He stated proper grease disposal can be added to the staff's review.

Commissioner R. Davis asked if the City or the County inspected grease traps within businesses.

Mr. Powell stated both agencies conduct inspections. He stated the Taney County Health Department was relied on more during their annual inspections and spot inspections at restaurants. He stated they primarily check each business's pumping and disposal records as required by the City's Fats, Oils and Grease Management Program. He stated those businesses which are not able to provide the required proof, they are then required to have it pumped within a certain amount of time and notify the City's Utilities Department when complete for a follow up inspection.

Commissioner R. Davis asked if the City monitors the quality of our influent product as part of the program.

Mr. Powell stated the bigger indicator is in the sewer collection system, including the manholes and sewer lines. He stated if staff finds certain amounts of fats, oils and greases built up in a particular manhole, they then follow the system line to track down which restaurant, or group of restaurants, may be allowing them into the system.

Chairperson Harris asked if any of the commissioners had any other questions or comments; there was no response. He entertained a motion.

MOTION:

Motion by Commissioner Loyd and seconded by Vice-Chairperson Romine to approve Resolution 14-12.9.

AYES: Commissioners Best, Burney, L. Davis, R. Davis, Loyd, McDowell, Woolery, Vice-Chairperson Romine and Chairperson Harris
NOES: None
ABSTAIN: None
ABSENT: Commissioner Huddleston

Motion to approve Resolution 14-12.9 carried with a 9-0 vote.

COMMISSIONER & STAFF REPORTS

Mr. Hornickel stated three task forces were being created for the Highway 76 Complete Streets Project which will include a design group, a Community Improvement District group and an overlay zoning district group to reinforce the master plan which was recently adopted. He stated staff was looking forward to working with the three groups and the consultant, Elizabeth Garvin, from Spencer Fane Britt & Browne through the six to nine month process.

Commissioner R. Davis thanked the citizens and the Mayor for the opportunity for the Board to receive training. He stated the entire Board of Aldermen had recently traveled to the National League of Cities Conference in Austin, Texas for three and a half days of intense meetings, classes and mobile workshops. He stated he was able to visit a water treatment center on Lake Travis and a local water shed. He stated he had also attended a class lead by an Engineer regarding a new way to think about transportation systems and their influence on property values, especially when in combination with big box stores.

Commissioner Loyd stated some cities have become fearful of attracting big box stores because they try to get many benefits from cities and then they simply leave after a few years. He stated many are looking at whether a bidding process to attract a big box store was actually worth it for the City to pursue.

Commissioner R. Davis stated economic development efforts often lead to cities bidding against their sister city only to attract a big box store when the reality is they do not need the City's help and they will come to that town if they really want to be there. He stated small businesses are the ones that need to be incentivized because they are more committed to cities.

Commissioner Woolery asked if the discusses included the use of tax incentives between states to attract businesses.

Commissioner R. Davis stated the speaker spoke mostly of the community or corridor level as opposed to state level.

ADJOURNMENT

Motion by Commissioner Best and seconded by Commissioner R. Davis, and unanimously carried to adjourn the meeting at 8:16 pm.



Clark Harris, Chairperson

1-6-15

Date



Joel Hornickel, Director of Planning & Development

1/6/15

Date